

Message Text

CONFIDENTIAL

PAGE 01 STATE 188238
ORIGIN NEA-10

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FM SECSTATE WASHDC
TO AMEMBASSY TEL AVIV IMMEDIATE

C O N F I D E N T I A L STATE 188238

FOR AMBASSADORS LEWIS AND ATHERTON

E.O. 11652: GDS

TAGS: PEPR, IS

SUBJECT: CONFIDENTIALITY OF SINAI II AGREEMENTS

1. MR. YOSEF GAL (DINITZ' ASSISTANT) ASKED DESK ON JULY 17 IF DEPARTMENT COULD PROVIDE PRECISE DATE ON WHICH SECRETARY KISSINGER SIGNED THE SINAI II MEMORANDA OF AGREEMENT (INITIALLED SEPTEMBER 1, 1975). HE SAID INFORMATION NEEDED IN CONNECTION WITH COLLECTION OF MATERIALS MFA INTENDED TO PUBLISH. DESK NOTED MEMORANDA CLASSIFIED AND ADVISED STRONGLY AGAINST TREATING DOCUMENTS IN WAY THAT WOULD AFFECT THEIR CONFIDENTIALITY. GAL SAID HE WOULD SO ADVISE HIS MINISTRY. GAL WAS LATER INFORMED THE DOCUMENTS WERE OFFICIALLY SIGNED BY SECRETARY FEBRUARY 27, 1976.

2. ON JULY 24, GAL INFORMED DESK HE HAD RECEIVED RE-CONFIDENTIAL

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SPONSE FROM MFA LEGAL ADVISOR SAYING THAT SINCE MEMORANDA HAD BEEN PUBLISHED IN NEW YORK TIMES AND CONGRESSIONAL RECORD (WHICH GAL CALLED A USG PUBLICATION), ADVISOR NO LONGER CONSIDERED MEMORANDA SECRET. DESK TOLD GAL FIRMLY THAT PUBLICATIONS TO WHICH HE REFERRED WERE NOT REPEAT NOT AUTHORIZED BY EXECUTIVE BRANCH OF USG AND NEVER SINCE BEEN CORROBORATED, NEITHER BY PREVIOUS ADMINISTRATION NOR

THE PRESENT ONE. DESK NOTED THIS NOT REPEAT NOT A NEW
ISSUE, THAT OUR POSITION ON CONFIDENTIALITY OF THESE
DOCUMENTS WELL KNOWN TO ISRAELIS, AND IT AGGRAVATING

TO HEAR IT RAISED IN THIS WAY AS IF FOR FIRST TIME. DESK
SAID WE INTEND TO CONTINUE TO REGARD DOCUMENTS AS SECRET
AND WOULD BE DISTURBED IF THE ISRAELIS MADE THEM PUBLIC.

3. IT WOULD BE HELPFUL IF AMBASSADOR OR OTHER SENIOR
EMBOFF FOUND EARLY OPPORTUNITY TO MAKE THESE POINTS TO
MFA, STRESSING THAT WHATEVER REVELATIONS ARE ALLEGED TO
HAVE BEEN MADE, WE CONSIDER THESE DOCUMENTS SECRET UNTIL
THE PARTIES AGREE JOINTLY TO DECLASSIFY THEM.

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